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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Richard C. Smith and Diann Y. Smith

Application No.: 10/769,158 Filing Date: January 29, 2004

Examiner: Phylesha L. Dabney Group Art Unit: 2614

Title: Ambidextrous Earpiece

Docket No.: M-15596 US Confirmation No. 7774

SEP 26 2007

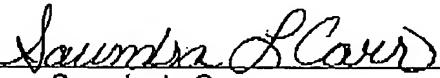
Irvine, California  
September 26, 2007Via Facsimile to (571) 273-8300

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

## CERTIFICATION OF FACSIMILE TRANSMISSION

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1) Amendment (9 pages)

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RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the non-Final Office Action dated September 6, 2007, please amend the above-identified application as follows.